

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

Christopher Amir Weaver,

Plaintiff

V.

City of Las Vegas, et al,

Defendants

Case No.: 2:16-cv-00323-JAD-GWF

Order Adopting Report and Recommendation

[ECF No. 4]

On September 28, 2016, Magistrate Judge George Foley, Jr., screened plaintiff Christopher Amir Weaver's complaint and amended complaint, granted his application for pauper status, and recommended that I dismiss his claims with limited leave to file a second-amended complaint if he can cure the deficiencies identified in the Order and Report and Recommendation.¹ Objections to that report and recommendation were due by October 15, 2016. Weaver filed no objections and did not seek an extension of time to do so.² “[N]o review is required of a magistrate judge’s report and recommendation unless objections are filed.” *Schmidt v. Johnstone*, 263 F. Supp. 2d 1219, 1226 (D. Ariz. 2003); see also *Thomas v. Arn*, 474 U.S. 140, 150 (1985); *United States v. Reyna-Tapia*, 328 F.3d 1114, 1121 (9th Cir. 2003). Accordingly, and with good cause appearing,

18 IT IS HEREBY ORDERED that Magistrate Judge Foley's Report and Recommendation
19 [ECF No. 4] is ACCEPTED and his findings and conclusions are adopted;

IT IS FURTHER ORDERED that Weaver's amended complaint is **DISMISSED with prejudice against the State of Nevada, and without prejudice and with leave to file a second-amended complaint by November 14, 2016, against the other defendants** if Weaver can cure the defects identified in the Order and Report and Recommendation [ECF No. 4]. Weaver is advised

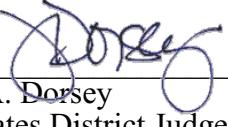
1 ECF No. 4.

² It appears that the R&R was mailed to Weaver at the address he had provided, but it was returned “Refused. Unable to Forward.” ECF No. 5. This district’s Local Special Rule 2-2 states, “[t]he plaintiff shall immediately file with the Court written notification of any change of address. The notification must include proof of service upon each opposing party or the party’s attorney. Failure to comply with this Rule may result in dismissal of the action with prejudice.” LSR 2-2. Plaintiff is further directed to immediately update his address with the court.

1 that, under Local Rule 15-1, any amended complaint that is filed with the court must be complete in
2 itself without reference to prior filings. Any allegations, parties, or requests for relief from prior
3 papers that are not carried forward and reasserted in the amended complaint no longer will be before
4 the court and will be deemed abandoned.

5 **If Weaver does not file a proper second-amended complaint by November 14, 2016, this**
6 **case will be dismissed in its entirety and closed without further prior notice.**

7 DATED October 25, 2016.

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9 Jennifer A. Dorsey
United States District Judge

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